

1 RAHA JORJANI (SBN 240941)
2 MANAGING IMMIGRATION ATTORNEY
3 KELSEY MORALES (SBN 312362)
4 IMMIGRATION DEFENSE ATTORNEY
5 OFFICE OF THE ALAMEDA COUNTY PUBLIC DEFENDER
6 312 CLAY STREET, 2ND FLOOR
7 OAKLAND, CA 94607
8 TEL (510) 268-7429
9 FAX (510) 268-7462
10 Kelsey.Morales@acgov.org

11
12 **UNITED STATES DISTRICT COURT**
13
14 **FOR THE DISTRICT OF NORTHERN CALIFORNIA**
15

16 BENJAMIN DIAZ OROPEZA,
17
18 Petitioner,

19 vs.

20 MOISES BECERRA, in official capacity, Field
21 Office Director of ICE's San Francisco Field
22 Office; TAE D. JOHNSON, in official capacity
23 Acting Director of ICE; ALEJANDRO
24 MAYORKAS, in official capacity, Secretary of
25 the U.S. Department of Homeland Security;
26 MERRICK B. GARLAND, in official capacity,
27 Attorney General of the United States;

28 Respondents.

Case No.:4:22-cv-09126-DMR

IMMIGRATION HABEAS CASE

STIPULATION AND JOINT REQUEST TO
SET A BRIEFING SCHEDULE;
ORDER

DIAZ OROPEZA V. BECERRA ET AL., CASE NO. 4:22-CV-09126-DMR
STIPULATION AND JOINT REQUEST TO SET A BRIEFING SCHEDULE;
ORDER

Pursuant to Civil Local Rule 7-12, the parties hereby stipulate and jointly request respectfully that the Court set the following briefing schedule with respect to Petitioner's petition for writ of habeas corpus:

1. Respondents will file their combined return and motion to dismiss, not to exceed 40 pages, to the petition by January 17, 2023.
2. Petitioner will file his combined traverse to the return and opposition to the motion to dismiss, not to exceed 30 pages, by January 24, 2023.
3. Respondents will file their reply in support of the motion to dismiss, if any, not to exceed 15 pages, by January 31, 2023.

Dated: December 30, 2022

s/Kelsey Morales

Kelsey Morales

Alameda County Public Defender's Office

Attorney for Mr. Diaz

Dated: December 30, 2022

s/David Kim (with permission)

David Kim

Office of Immigration Litigation

Attorney for Respondents

* In compliance with Civil Local Rule 5-1(i)(3), the filer attests that all signatories have concurred in the filing of this document.

DIAZ OROPEZA V. BECERRA ET AL., CASE NO. 4:22-CV-09126-DMR
STIPULATION AND JOINT REQUEST TO SET A BRIEFING SCHEDULE;
ORDER

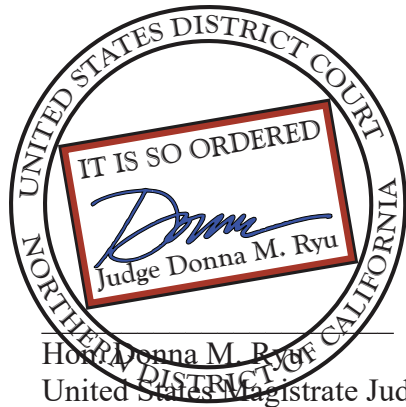
ORDER

The Court, having considered the parties' stipulation and finding good cause, hereby
ORDERS that:

1. Respondents shall file their combined return and motion to dismiss, not to exceed 40 pages, to the petition by January 17, 2023.
2. Petitioner shall file his combined traverse to the return and opposition to the motion to dismiss, not to exceed 30 pages, by January 24, 2023.
3. Respondents shall file their reply in support of the motion to dismiss, if any, not to exceed 15 pages, by January 31, 2023.

IT IS SO ORDERED.

Dated: January 3, 2023



Honorable Donna M. Ryu
United States Magistrate Judge

DIAZ OROPEZA V. BECERRA ET AL., CASE NO. 4:22-CV-09126-DMR
STIPULATION AND JOINT REQUEST TO SET A BRIEFING SCHEDULE;
ORDER